

# MICHIGAN COLOR GUARD CIRCUIT

## CODE OF CONDUCT

The Michigan Color Guard Circuit (MCGC) provides a venue for young people to achieve the extraordinary through performance and competition. MCGC values every participant, staff, volunteer, and fan as a unique individual with inherent dignity regardless of race, gender, creed, sexual orientation, origin or cultural background. MCGC also is committed to fostering positive and safe learning, performing, and working environments for all.

All MCGC Personnel including but not limited to: President, Vice President of Color Guard, Vice President of Percussion and Winds, Secretary, Treasurer, WGI Representative, MCGC Representative, Percussion and Winds Representative, Past President, Contest Coordinator, and the Judge Coordinator; will be subject to undergo a background check. After being elected or hired, MCGC will follow the WGI protocol, utilizing the National Center for Safety Initiatives using guidelines from the National Council of Youth Sports. These background checks will screen convictions and pending dispositions for felonies, crimes involving force or threat of force against a person, crimes of a sexual nature (including sex offender registrants), crimes involving controlled substances, crimes involving cruelty to animals, and crimes involving harm to a minor. Based on the circumstances considered, the decision to apply disciplinary action or dismissal can be at the discretion of the President, Vice President of Color Guard and Vice President of Percussion and Winds.

It is important for all members of our community to know how to address concerns that may be contrary to this commitment. MCGC has set expectations for the conduct and compliance for everyone associated with any MCGC-sanctioned event. See below for the: **MCGC Participating Groups Code of Conduct** and the **MCGC Personnel Code of Conduct**.

Anyone who receives information of any kind that misconduct related to participant protection has occurred that is connected in any way to individuals or activities associated with any MCGC-sanctioned event or activity must report the matter immediately to MCGC management and the management of all Participating Groups or with which the affected individual(s) are associated. See our **Participant Protection Reporting Policy** below.

Concerns of noncompliance should first be brought to the leadership of the organization involved, who are expected to investigate the concerns promptly and address them. In addition, MCGC is also available to help an individual connect with the right person of the organization involved to ensure the concern is considered and promptly addresses. See [www.mcgc.net](http://www.mcgc.net) for the **Participant Protection Reporting Form**.

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### CODE OF CONDUCT FOR PARTICIPATING GROUPS

MCGC feels it is essential to enforce a Code of Conduct for groups participating in any MCGC sanctioned event. If employees, independent contractors, and volunteers are expected to adhere to a professional code of conduct, then it is appropriate that this standard is expected from participating groups as well.

#### Definitions:

**Participant:** A person who is performing with a participating group.

**Staff:** A person who is engaged by a participating group in an instructional or administrative capacity.

**Volunteer:** A person who gives of their time freely to a participating group as a chaperone or provides support in any capacity.

All groups participating in any MCGC sanctioned event must accept and act under the policies and procedures outlined within this Code of Conduct.

MCGC will not tolerate conduct that impacts negatively on the organization or the experience of our performers. All participants, staff, and volunteers should consider themselves as ambassadors of MCGC. All parties are not only expected to uphold these policies, but help remind others of them when necessary.

Further, MCGC reserves the right to discipline, discharge or suspend participants, staff or volunteers who engage in or is alleged to have engaged in unlawful activity at a MCGC sanctioned event to the extent consistent with applicable law.

#### ALCOHOL & CONTROLLED SUBSTANCES

MCGC participants have the right to participate in an environment free of alcohol and controlled substances. MCGC participants are not to possess, distribute or be under the influence of alcohol or controlled substances including, but not limited to, narcotics, inhalants, marijuana or other dangerous drugs. It is unlawful to bring alcohol and controlled substances onto any school grounds and arena facilities.

#### SEXUAL MISCONDUCT

MCGC strictly prohibits all conduct which could pose a threat to the safety of participants of an MCGC sanctioned event. If a participating group receives information of any kind (oral or written, "informal" or "formal") suggesting that misconduct has occurred that is connected in any way to individuals or activities associated with a participating group, and if the suggested misconduct meets any of the following criteria, that participating group shall inform MCGC of the information in writing immediately:

- Any misconduct of a sexual nature or potentially classifiable as a sex offense under applicable law, including without limitation so-called "victimless" activities such as prostitution, pornography, and indecent exposure.
- Any misconduct in which actual or suggested sexual relations is an element.
- Any harassing conduct pertaining to, in whole or in part, an individual's sex, gender, sexual orientation, or gender expression.
- Any conduct involving harm to a minor.

Participating groups shall maintain effective internal policies and procedures for the protection and safety of its participants, staff, and volunteers, including without limitation the ability of any individual to report suspected misconduct to the leadership of the participating group without reprisal. Participating groups shall conduct an effective internal investigation, report the matter to the appropriate external authorities as may be necessary, and take appropriate and effective remedial action under the circumstances.

Anyone found to have participated in misconduct that threatens the safety of a participant will be disciplined as MCGC finds appropriate (see Disciplinary Action), up to and including a permanent ban from association with any MCGC-sanctioned event in any capacity.

## **HARASSMENT**

Behavior that may be considered inappropriate or may be deemed as harassment is not allowed. Harassment refers to a full spectrum of offensive behavior. When the term is used in a legal sense, it refers to actions that can be found to be threatening or disturbing, and beyond those that are sanctioned by society. Conduct that creates a hostile environment is prohibited. Such conduct may include:

- Any harassing behavior about, in whole or in part, an individual's sex, gender, sexual orientation or gender expression
- Repeated unwanted sexual flirtations, advances, or propositions
- Verbal abuse of a sexual nature
- Verbal comments about an individual's body
- Sexually degrading words used to describe an individual
- Unwanted physical contact
- Cyber-bullying or social media abuse
- Any other behavior that is not socially acceptable in a professional environment

Any participant, staff or volunteer who is found after an appropriate investigation to have harassed another participant, staff, employee, contractor, volunteer, or customer of MCGC will be subject to appropriate disciplinary actions, including suspension.

## **ANTI-RETALIATION AND WHISTLEBLOWER POLICY**

In an effort to protect all interested parties and address our commitment to integrity and ethical behavior, MCGC will not tolerate any retaliation against anyone who makes a good faith report, or threatens to make a good faith report, regarding MCGC, another organization, or an individual, whose suspected violation of the law or other violation endangers the health or safety of a participant, any personnel of MCGC or a participating group, or the general public.

## **GENERAL CONDUCT**

Our reputation depends on the conduct of all parties involved in MCGC. Good manners, courtesy, and common sense are generally all that is required to ensure appropriate conduct and behavior. Conduct or language that could be perceived by a reasonable person as being rude, inappropriate, abusive, disorderly, derogatory, immoral or threatening will not be tolerated.

If an undue and unfair pressure is applied to MCGC judges or staff through inappropriate behavior, then this places the competitive experience at risk. Examples include, but are not limited to, participants or staff of a group verbally abusing MCGC personnel, the inappropriate conduct of any participants or staff on the contest floor, or inordinate or unauthorized communication to judges or the Chief Judge.

Disruptive or rude behavior from participants, staff, or volunteers of one group towards another in the warm-up areas will not be tolerated.

Anyone found to have participated in misconduct will be disciplined as MCGC finds appropriate, up to and including loss of the privilege that has been violated. For example, staff could lose all critique privileges with judges, barred from contest floor or venue, or loss of the right to use the warm-up venue.

### **SOCIAL NETWORKING**

MCGC respects the right to use social networking sites and does not wish to discourage from self-publishing or self-expression. Nevertheless, we expect all involved in MCGC to follow applicable guidelines and policies. All persons using social media should be clear that any posts are their own and they are not authorized to speak on behalf of MCGC.

Our policies prohibit the use of social media to post or display comments that are vulgar, obscene, threatening, intimidating, harassing, or hostile on account of race, color, religion, national origin, age, sex, sexual orientation, veteran status, marital status, physical or mental disability, or any other basis or characteristic protected by applicable law on platforms controlled by MCGC.

### **DISCIPLINARY ACTION**

Individual participants, staff, or volunteers who are found to be in violation of this Code of Conduct will be subject to further investigation as conducted by MCGC Administration. Based on the circumstances considered, the decision to apply disciplinary action or dismissal can be at the discretion of the President, Vice President of Color Guard and Vice President of Percussion and Winds.

In extreme circumstances, termination of a group's participation in MCGC may be considered if after a thorough investigation finds their management has recklessly or continually put participants, staff, or volunteers in unsafe situations or ignored flagrant violations of this Code of Conduct.

The type of action taken depends on the facts and circumstances surrounding each situation. Please note that the corrective action may vary, or steps skipped, depending on the circumstance. It's important to note that the type of action applied, as well as any prior notice of action, is at MCGC's sole discretion.

The policies of this Code of Conduct should provide all participants, staff, and volunteers with an understanding of what is considered appropriate or inappropriate behavior. While all possible circumstances are impossible to delineate, those participating with MCGC should not take any chance with the spirit and intent of these guidelines.

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## CODE OF CONDUCT FOR MCGC PERSONNEL

All employees, contractors and Board Members of MCGC must accept and act in accordance with the policies and procedures outlined within this Code of Conduct.

### Definitions:

**Employee:** A person who is hired for a wage, salary, fee, or payment to perform work for MCGC on a regular basis. Ex. Judge Coordinator, Contest Coordinator, etc.

**Independent Contractor:** A person who provides seasonal services in exchange for a fee. Independent contractors are offered assignments for work. These assignments can be refused.

**Board Member:** A person who has been successfully nominated and elected to a Board Member position, within the MCGC Board of Directors.

By the acceptance of employment or assignments, all employees, contractors, and Board Members agree to abide by this Code of Conduct. A failure to adhere to these standards may subject the employee, contractor, or Board Member to termination or suspension of employment or revocation of any and all remaining assignments. MCGC also reserves the right to remove said employee or contractor from future work with MCGC.

MCGC will not tolerate conduct that impacts negatively on the organization, either in terms of an employee's or contractor's individual work performance, workplace safety, or the business interests and corporate image of MCGC. All employees, contractors, and Board Members must consider themselves as an ambassador of MCGC. You are not only expected to uphold all policies yourself, but to help remind others of them when necessary.

Further, MCGC reserves the right to discipline, discharge, or suspend an employee, contractor, or Board Member who engages in or is alleged to have engaged in unlawful activity outside the workplace to the extent consistent with applicable law.

### ALCOHOL

The employee, contractor, or Board Member agrees to not consume alcohol while "at work" with MCGC. "At work" includes the time period between the beginning of the day and close of competition. The employee, contractor, or Board Member agrees not to consume alcohol until his/her responsibilities are completed for the day. Violators may receive disciplinary actions, including dismissal or suspension.

It is unlawful to bring alcohol onto any school grounds and most arena facilities. Violation of these laws could result in immediate dismissal or suspension.

Any employee, contractor, or Board Member driving an MCGC vehicle or transporting MCGC personnel in vehicles must refrain from consuming any alcohol beverages before or during operation of vehicles.

### DRUGS

The employee, contractor, or Board Member agrees not to pursue, continue, or engage in the use of, or be under the influence of, illegal or recreational drugs, or prescription medications or substances which may affect your ability to function or cause one to be impaired while "at work" with MCGC. "At work" includes the

time period between the beginning of the day and close of competition. Violators may receive disciplinary actions, including dismissal and referral to law enforcement for violations of the law.

### **SEXUAL MISCONDUCT**

MCGC strictly prohibits all conduct which could pose a threat to the safety of participants, employees, independent contractors, and volunteers. This policy sets forth MCGC's expectation that all individuals associated with MCGC-sanctioned events shall report the following kinds of misconduct without exception:

- Any misconduct of a sexual nature or potentially classifiable as a sex offense under applicable law, including without limitation so-called "victimless" activities such as prostitution, pornography, and indecent exposure.
- Any misconduct in which actual or suggested sexual relations is an element.
- Any harassing conduct pertaining to, in whole or in part, an individual's sex, gender, sexual orientation, or gender expression.
- Any conduct involving harm to a minor.

Anyone found to have participated in misconduct that threatens the safety of a participant, employee, independent contractor, or volunteer will be disciplined as MCGC finds appropriate, up to and including a permanent ban from association with any MCGC sanctioned event in any capacity.

### **HARASSMENT**

Behavior that may be considered inappropriate or may be deemed as harassment is not allowed. Harassment refers to a wide spectrum of offensive behavior. When the term is used in a legal sense, it refers to behaviors that can be found to be threatening or disturbing, and beyond those that are sanctioned by society. Conduct that creates a hostile environment is prohibited. Such conduct may include:

- Any harassing conduct pertaining to, in whole or in part, an individual's sex, gender, sexual orientation or gender expression.
- Repeated unwanted sexual flirtations, advances, or propositions
- Verbal abuse of a sexual nature
- Verbal comments about an individual's body
- Sexually degrading words used to describe an individual
- Unwanted physical contact
- Cyber-bullying or social media abuse
- Any other behavior that is not socially acceptable in a professional environment

Any employee, contractor, Board Member or volunteer who is found after an appropriate investigation to have harassed another employee, contractor, Board Member, volunteer, performer, or customer of MCGC will be subject to appropriate disciplinary actions, including dismissal or suspension.

### **ANTI-RETALIATION AND WHISTLEBLOWER POLICY**

In an effort to protect all interested parties and address our commitment to integrity and ethical behavior, MCGC will not tolerate any retaliation against anyone who makes a good faith report, or threatens to make a good faith report, regarding MCGC, another organization, or an individual, whose suspected violation of the law or other violation endangers the health or safety of a participant, employee, independent contractor, volunteer, Board Member, or the general public.

### **GENERAL CONDUCT**

Our reputation depends on the conduct of all employees, contractors, and Board Members. All those employed or engaged by MCGC must play a part in maintaining that reputation to the highest ethical standards. Good manners, courtesy, and common sense are generally all that is required in order to ensure appropriate conduct and behavior. Conduct or language that could be perceived by a reasonable person as being rude, inappropriate, abusive, disorderly, derogatory, immoral, or threatening will not be tolerated.

### **CONFLICTS OF INTEREST (AFFILIATIONS)**

As a person employed or engaged by MCGC, you are expected to work in the best interests of the organization at all times, as a disinterested and reasonable observer would view that interest in the circumstances. Impartiality and the perception of impartiality are critical to our success.

A conflict of interest exists when you take any action that is contrary to or interferes with the impartiality or the perception of impartiality of MCGC's mission. A conflict of interest may be real, potential, or perceived. Accordingly, you must avoid and disclose all conflicts between the best interest of the organization and your own personal interests or personal relationships.

A conflict of interest also exists whenever a person employed or engaged by MCGC may personally benefit either directly or indirectly, financially or otherwise, from their position in the organization.

You must disclose all actual and potential conflicts of interest promptly. It is your responsibility to comply with this requirement each time you become aware of a new conflict of interest or if any initial disclosure no longer accurately reflects the nature of the conflict of interest. In most cases, disclosure may be all that is required. If MCGC determines that an actual conflict of interest exists, it will determine what additional actions are required by you to remedy that conflict and instruct you accordingly.

It is impossible to describe every potential conflict of interest. The vast majority of conflicts of interest will deal with adjudication but could also exist in other situations. However, to assist you in understanding and complying with this policy, an illustrative, but not all inclusive, list of actual conflicts of interest follows:

- You personally are a designer, instructor, manager, or administrator of a group competing at MCGC events.
- You have a family member, spouse, or significant other relationship that are employed or engaged with a group competing at MCGC events.
- You receive compensation from a school music department or organization that sponsors a competing group (i.e. an individual who teaches music in the school when the music department sponsors a group)
- You have given an in-person consultation to a group in the current year. Online consultations sanctioned by MCGC are allowed.
- You display a group's insignia while at a MCGC event.
- You operate a business venture, are doing business for or being retained by a third party for services that conflicts with MCGC. Employees, contractors, and volunteers may not use the intellectual property of MCGC (ex. logo, judging systems, proprietary and non-public training materials) for personal financial benefit.

## **SOCIAL NETWORKING**

MCGC respects the right of employees, contractors, Board Members and volunteers to use social networking sites on their own time and does not wish to discourage from self-publishing or self-expression. Nevertheless, we expect those employed or engaged by MCGC to follow applicable guidelines and policies.

Blogging or other forms of social media or technology include but are not limited to video or wiki postings, sites such as Facebook, YouTube and Twitter, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with MCGC. Unless specifically instructed, persons engaged by MCGC are not authorized to speak on behalf of the organization.

Our policies prohibit the use of social media to post or display comments that are vulgar, obscene, threatening, intimidating, harassing, or hostile on account of race, color, religion, national origin, age, sex, sexual orientation, veteran status, marital status, physical or mental disability, or any other basis or characteristic protected by applicable law.

When posting to any web site, assume that many people, including coworkers, fans, supporters, performers, parents, school administrators, customers and potential customers, and the media are reading your comments. All parties should be aware of your association with MCGC in online media streams. Use common sense, professional judgment, and caution.

Bloggers and commentators are personally responsible for their commentary on blogs and social networking sites. Bloggers and commentators can be held personally liable for commentary that is considered defamatory, obscene, proprietary, or libelous.

Guidelines for using personal social media:

- MCGC staff and judges should never comment on an individual group's anticipated or actual performance or anything of a competitive nature, however positive. Such postings create openings for questions from anyone reading the post. What seems like an innocent comment can be easily misconstrued.
- MCGC staff and judges should change personal settings on Facebook to allow review and approval of any post visible to the public. Use caution on "liking" any post regarding any individual group or MCGC.
- MCGC staff and judges are prohibited from promoting any participating group with which they are affiliated so not to present the appearance of intended influence.
- MCGC staff and judges should refrain from posting or liking any pictures or comments that imply favoritism towards any one group or instructor.
- MCGC staff and judges should use caution in posting or "tagging" photos or videos of any color guard on your personal social media streams.

It is important to remember that anything posted on the Internet is permanent. Although it can be "taken down", it may well exist somewhere for years to come and often reach large numbers of people quickly. If misinterpreted or open to misinterpretation, such postings can do incalculable damage to the reputation of individuals, organizations, and MCGC.

MCGC will use these guidelines to determine whether an employee or contractor has been appropriate in their public online behavior with respect to their MCGC-related responsibilities. Those employees and



contractors associated with MCGC must represent appropriate conduct for a competitive, scholastic-based activity. Violation of these guidelines can lead to disciplinary action including suspension and/or termination.

### **DISCIPLINARY ACTION**

Employees, contractors, Board Members and volunteers who are found to be in violation of this Code of Conduct will be subject to further investigation as conducted by MCGC Administration. Based on the circumstances considered, the decision to apply disciplinary action or dismissal can be at the discretion of the President, Vice President of Color Guard and Vice President of Percussion and Winds.

The type of action taken depends on the facts and circumstances surrounding each situation. Please note that the corrective action may vary, or steps skipped, depending on the circumstance. It's important to note that the type of action applied to an employee, contractor or volunteer as well as any prior notice of action, is at MCGC's sole discretion.

The policies of this Code of Conduct should provide any and all employees, contractors, and volunteers with an understanding of what is considered appropriate or inappropriate behavior. While all possible circumstances are impossible to delineate, those engaged with MCGC should not take any chance with the spirit and intent of these guidelines.

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## **MICHIGAN COLOR GUARD CIRCUIT PARTICIPANT PROTECTION REPORTING POLICY**

MCGC strictly prohibits all conduct which could pose a threat to the safety of participants in MCGC-sanctioned events. This policy sets forth MCGC's expectation that all individuals associated with MCGC-sanctioned events shall report certain kinds of misconduct without exception.

**WHO IS COVERED BY THIS POLICY?** Everyone associated with any MCGC-sanctioned event is covered by this policy, including without limitation all Participating Group personnel, MCGC personnel, Contest Judges, Event Administrators/, coordinators, volunteers, and performers.

**WHAT IS EXPECTED UNDER THIS POLICY?** Anyone who receives information of any kind (oral or written, "informal" or "formal") suggesting that misconduct related to participant safety has occurred that is connected in any way to individuals or activities associated with any MCGC-sanctioned event or activity must report the matter immediately to MCGC management and the management of all Participating Groups with which the affected individual(s) are associated. A report to an appropriate law enforcement agency may also be appropriate and is always available, in the discretion of the person who receives information regarding potential misconduct. Misconduct related to participant safety that is covered by this policy includes:

- Any misconduct of a sexual nature or potentially classifiable as a sex offense under applicable law, including with limitation so-called "victimless" activities such as prostitution, pornography, and indecent exposure.
- Any misconduct in which actual or suggested sexual relations is an element;
- Any harassing conduct pertaining to, in whole or in part, an individual's sex, gender, sexual orientation, or gender expression; and
- Any conduct involving harm to a minor.

**WHAT ACTION WILL BE TAKEN?** Upon receiving a report of any such misconduct, MCGC and the Participating Group shall conduct an effective internal investigation, report the matter to the appropriate law enforcement authorities as may be necessary, and take appropriate and effective remedial action under the circumstances.

Anyone found to have participated in misconduct that threatens the safety of a participant will be disciplined as MCGC finds appropriate, up to and including a permanent ban from association with any MCGC-sanctioned event in any capacity. MCGC will not retaliate against anyone for reporting suspected misconduct or for participating in any investigation or inquiry, and MCGC will not tolerate retaliation by any person or entity associated with any MCGC-sanctioned event.

**HOW CAN REPORTS BE MADE?** A report can be made via MCGC's website using the online **Participant Protection Reporting Form**.

